

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

SONJA STILLINGS,

Plaintiff,

v.

Case No. 8:21-cv-1358-VMC-AAS

KILOLO KIJAKAZI, Commissioner,  
Social Security Administration,

Defendant.

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**ORDER**

This matter is before the Court on consideration of United States Magistrate Amanda Arnold Sansone's Report and Recommendation (Doc. # 15), filed on December 6, 2021, recommending that the Commissioner's Motion to Dismiss the Petition for Writ of Mandamus and Declaratory Judgment be granted. As of the date of this Order, no objections have been filed and the time for filing objections has lapsed. The Court accepts and adopts the Report and Recommendation and grants the Motion (Doc. # 12).

**Discussion**

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v.

Wainwright, 681 F.2d 732 (11th Cir. 1982). In the absence of specific objections, there is no requirement that a district judge review the factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendation. 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994).

After conducting a careful and complete review of the findings, conclusions and recommendations, and giving *de novo* review to matters of law, the Court accepts the factual findings and legal conclusions of the magistrate judge.

Accordingly, it is now


**ORDERED, ADJUDGED, and DECREED:**

- (1) The Report and Recommendation (Doc. # 15) is **ACCEPTED** and **ADOPTED**.
- (2) For the reasons elaborated in the Report and Recommendation, Defendant's Motion to Dismiss Petitioner's Petition for Writ of Mandamus (Doc. # 12) is **GRANTED**.

(3) The Petition for Writ of Mandamus and Declaratory Judgment (Doc. # 1) is hereby **DISMISSED** without prejudice so that Petitioner may pursue any available administrative remedies and return to federal court if appropriate.

(4) The Clerk is directed to **CLOSE THE CASE**.

**DONE** and **ORDERED** in Chambers in Tampa, Florida, this 21st day of December, 2021.

  
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VIRGINIA M. HERNANDEZ COVINGTON  
UNITED STATES DISTRICT JUDGE